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Johnson & Johnson*

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

BARBARA SMITH and GARY SMITH,

Plaintiffs,

v.

ETHICON, INC., ETHICON LLC and  
JOHNSON & JOHNSON,

Defendants.

Civil No.: 3:20-cv-00851-MO

**DEFENDANTS' AFFIRMATIVE  
DEPOSITION DESIGNATIONS**

**Bullivant|Houser|Bailey PC**

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**DEFENDANTS' AFFIRMATIVE DEPOSITION  
DESIGNATIONS**

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**Defendants' Affirmative Deposition Designations**

Defendants designate the following portions of **Axel Arnaud's** September 25, 2013 deposition:

867:9 – 867:25  
868:4 – 868:7  
868:17 – 868:22  
873:7-874:4  
874:19-20  
874:22-875:5  
875:11-876:18  
879:16 – 881:5  
881:7 – 881:24  
882:8 – 882:12  
882:14 – 884:11  
902:5 – 902:22  
904:3 – 904:17  
906:3 – 906:7  
906:10 – 907:18  
907:20 – 907:20

Defendants designate the following portions of **Katrin Elbert's** December 23, 2014 deposition:

12:5 – 12:6  
29:23 – 31:4  
44:4 – 45:11  
46:1 – 46:16  
49:12 – 49:14  
50:5 – 50:10  
50:19 – 51:19  
247:23 – 249:4  
249:16 – 252:11  
252:15 – 256:18  
257:8 – 257:11  
257:23 – 258:6  
258:11 – 258:13  
344:20 – 347:20  
348:9 – 351:3  
351:6 – 351:7

351:9 – 351:24  
352:1 – 353:5  
353:7 – 354:4  
354:6 – 354:12  
354:14 – 354: 20  
354:22 – 354:22  
366:20-366:22  
366:24-367:3  
367:5-367:7  
368:24 – 369:1  
369:3 – 370:6  
370:12 – 370:13  
370:15 – 370:17  
371:4 – 371:7  
371:9 – 371:9  
371:18 – 372:4  
372:6 – 372:9  
372:16 – 372:17  
372:19 – 373:25  
374:2 – 374:7  
430:9-430:12  
430:14-431:5  
431:24 – 432:25

Defendants designate the following portions of **Piet Hinoul, MD's** January 15, 2014 deposition:

1761:10 – 1772:22  
1772:25 – 1773:8  
1173:10 – 1774:16  
1774:22 – 1775:9  
1775:14 – 1781:5  
1782:1 – 1783:10  
1783:20 – 1787:19  
1788:17 – 1788:19  
1788:22 – 1794:9  
1794:11 – 1805:25  
1806:4 – 1806:17  
1806:19 – 1807:19  
1807:21 – 1810:19  
1810:21 – 1811:21

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1811:25 – 1812:8  
1812:10 – 1813:6  
1813:8 – 1815:15  
1815:19 – 1816:6  
1816:8 – 1816:9  
1816:11 – 1816:11  
1816:14 – 1818: 8  
1818:11 – 1818:12  
1814:14 – 1818:17  
1819:5 – 1819:7  
1819:11 – 1819:16  
1819:19 – 1820:9  
1820:11 – 1821:15  
1821:17 – 1821:25

Defendants designate the following portions of **Charlotte Owens's** June 20, 2013 deposition:

528:11 – 528:23  
530:4 – 532:1  
535:24 – 537:6  
537:18 – 538:1  
538:5 – 538:18  
539:4 – 539:5  
539:7 – 539:16  
541:14 – 543:23  
544:1 – 544:14  
544:19 – 545:24  
546:5 – 547:16  
552:7 – 552:13  
552:15 – 552:21  
552:23 – 553:1  
553:3 – 553:22

Defendants designate the following portions of **Daniel Smith's** August 21, 2013 deposition:

564:23 – 564:23  
564:25 – 567:5  
567:15 – 569:7  
569:10 – 569:20  
570:2 – 570:10

577:3 – 577:17  
577:21 – 578:15  
579:9 – 579:20  
579:22 – 579:25  
586:22 – 587:8  
588:24 – 589:8  
589:10 – 589:12  
590:13 – 591:3  
607:20 – 608:18  
614:20 – 615:7  
615:9 – 615:14  
615:16 – 615:16  
638:15 – 639:9  
640:24 – 642:17  
642:22 – 643:6  
643:10 – 644:1  
644:3 – 644:17  
648:19 – 649:6  
649:9 – 649:15  
649:18 – 649:21  
649:24 – 650:4  
650:6 – 650:10  
651:7 – 651:9  
651:11 – 651:11  
652:6 – 652:9  
652:11 – 652:17

Defendants designate the following portions of **Axel Arnaud, MD**, November 16, 2012 deposition:

533:21-533:22  
534:2-534:16  
534:17-535:3  
535:4-535:16  
535:17-536:6  
536:14-537:20  
538:11-539:12  
539:15-542:14  
542:19-542:24  
543:14-545:18  
546:9-547:7

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**DEFENDANTS' AFFIRMATIVE DEPOSITION  
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547:8-547:18  
547:21-548:18  
548:21-550:23  
552:7-552:15  
552:17-552:25  
554:10-555:2  
555:5-555:14  
555:17-555:21  
555:23-556:2  
556:4-556:6  
556:9-556:19  
556:20-557:5  
557:8-557:10  
557:13-557:25  
558:1-558:22  
558:23-559:8  
560:10-560:13  
560:16-561:15  
561:22-563:12  
563:15-564:4  
565:1-565:13  
565:14-565:15  
565:18-565:18  
565:19-565:21  
568:17-569:5  
572:17-573:3

Defendants designate the following portions of **Thomas Barbolt**, August 15, 2013 deposition:

472:11 -473:13  
474:3 -474:11  
475:24 -476:17  
477:20 -479:14

Defendants designate the following portions of **Thomas Barbolt**, October 10, 2012 deposition:

571:23-572:9  
572:25-573:3  
576:1 -576:2

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576:8-577:19  
577:22-578:14  
578:16-578:21  
578:23-580:14  
580:19-580:20  
581:4-581:7  
581:11 -582:22  
583:3-583:24  
584:4-585:19  
585:24 -586:1  
586:8 -589:8  
589:13 -589:15  
590:1 -592:3  
593:5 -594:5  
594:10 -595:7  
600:25 -601:25  
602:2 -603:1  
603:19 -603:20  
604:2 -607:9 (starting  
with “Were”)  
607:14 -608:4  
608:9 -611:4  
611:6 -611:11  
627:14 -628:14  
628:17 -629:18

Defendants designate the following portions of **Scott Ciarrocca**, December 3, 2012 deposition:

753:11-753:19  
754:11-754:22  
755:1-755:17  
756:7-757:20  
759:11-759:12  
759:15-760:3  
760:15-761:19  
761:21-763:20  
764:18-764:20  
764:23-764:23  
768:13-769:3

Defendants designate the following portions of **Scott Ciarrocca**, March 29, 2012 deposition:

14:12-14:16  
15:2-15:23  
16:14-17:7  
17:8-17:11  
17:15-17:25  
23:4-23:6  
23:7-23:19  
45:18-45:23  
45:24-46:16  
46:18-46:18  
60:23-61:13  
72:24-73:8  
152:7-152:23  
154:12-154:20  
251:15-251:21  
252:20-252:25  
254:20-255:2

Defendants designate the following portions of **Piet Hinoul, MD, PhD**, September 19, 2012 deposition:

1250:9-1252:16  
1253:8-25  
1254:6-7  
1254:10-23  
1255:6-1256:2  
1256:3-1257:12  
1257:21-1258:12  
1258:18-1259:21  
1260:1-20  
1260:24-1261:5  
1261:6-1261:18  
1262:2-3  
1262:6-11  
1262:23-1264:1  
1264:4  
1264:6-14  
1265:16-18

1265:19-1266:5  
1266:6-9  
1266:12-16  
1266:18-1267:24  
1268:1-8  
1268:11-19  
1268:24-1269:16  
1269:19-1270:8  
1270:11  
1270:22-24  
1271:1-17  
1271:19-21  
1272:8-1273:17  
1273:19-1274:12  
1274:21-23  
1274:25-1275:2  
1275:17-19  
1275:22-1276:17  
1276:18-1278:2  
1278:15-1279:2  
1279:5-1280:6  
1280:9-1281:11  
1281:14-1282:20  
1282:22-1283:5  
1283:16-1284:14  
1284:16-1285:16  
1285:18-1286:3  
1286:5  
1286:25-1288:3  
1288:5-1288:20  
1289:7-1290:23  
1291:1-3  
1291:4-1292:2  
1292:4-1292:20  
1292:23-1293:1  
1293:3-1293:20  
1294:1-1294:11  
1294:16-1294:22  
1294:24-1295:13  
1295:17-1296:3  
1296:5-13  
1296:15- 1298:1

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1308:10-12  
1308:13-1309:19  
1309:21-1312:4  
1312:11-1312:14  
1312:16-1313:6  
1314:4-1314:25  
1316:13-1317:9  
1317:17-1317:19  
1317:21-1318:1  
1318:3-18  
1318:20-1319:2  
1319:5-12  
1319:14-1320:08  
1320:21-24  
1321:1-19  
1322:10-11  
1322:13-1323:4  
1323:7-9  
1323:11-1323:25  
1324:5-1325:11  
1325:15-1325:23  
1331:18-23  
1331:25-1332:9  
1332:11-14  
1332:17-1333:12  
1333:14-25  
1334:2-14  
1334:16-1335:19  
1336:12-14  
1343:17-1344:2  
1344:4-8  
1346:20-1347:9  
1347:11-1347:18  
1347:25-1348:21  
1348:22-1349:1  
1349:4-22  
1349:24-1350:2

Defendants designate the following portions of **Piet Hinoul, MD**, June 27, 2013 deposition:

488:14-488:24  
489:6-489:9  
491:18-192:11  
494:10-16  
494:21-495:2

Defendants designate the following portions of **Vincent Lucente, MD**, November 2, 2012 deposition:

364:5-364:11  
364:16-365:9  
367:5-367:16  
367:17-368:1  
374:14-375:18  
376:11-376:16  
382:14-383:13  
383:15-383:17  
383:19-385:15  
387:6-388:10  
389:18-390:1  
395:7-395:25  
397:3-397:11  
397:15-399:8  
404:13-404:16  
404:18-408:3  
409:22-413:12  
413:17-413:22  
413:25-415:15  
415:18-415:21  
415:22-415:25  
418:1-418:5  
419:2-419:4  
419:6-420:13  
421:2-421:5  
422:12-422:19  
422:22-423:1  
423:9-423:11  
423:13-424:8  
424:10-424:18

424:20-425:5  
425:10-425:12  
425:13-426:22  
427:7-427:9  
427:11-427:23  
428:16-429:22  
429:24-430:14  
430:17-430:19  
430:21-431:4  
434:21-436:15  
436:17-436:19  
436:22-437:3  
437:5-437:23  
438:8-438:22  
442:23-442:24  
443:3-443:22  
443:24-444:6  
444:24-445:10  
445:14-16  
445:18-447:9  
453:15-453:17  
453:19-454:10  
457:9-457:11  
457:13-457:21  
458:11-459:6  
459:13-459:21  
460:11-460:16  
460:18-460:19  
460:23-460:25  
461:2-461:3  
461:5-461:14  
464:10-468:3

Defendants designate the following portions of **Vincent Lucente, MD**, June 10, 2014 deposition:

381:7-381:10  
381:13-382:8  
382:10-382:10

Defendants designate the following portions of **Charlotte Owens, MD**, September 12, 2012 deposition:

7:7-7:10  
22:2-23:16  
68:2-68:22  
80:22-81:8  
109:4-109:11  
125:2-126:4  
131:5-131:22  
132:9-132:13  
132:15-132:22  
200:17-200:21  
200:23-201:10  
258:17-259:4  
259:10-260:2  
262:14-263:6  
264:8-265:15  
276:2-277:10  
277:20-278:8  
280:6-280:18  
305:22-306:4  
306:6-307:10

Defendants designate the following portions of **Charlotte Owens, MD**, September 13, 2012 deposition:

370:13-370:19  
380:4-380:13  
509:8-509:17  
514:16-514:23  
515:2-516:25  
519:9-520:4  
520:8-521:8  
522:7-523:10  
526:7-527:19  
527:22-529:10  
532:5-532:9  
534:1-535:20  
538:14-541:2  
542:24-543:8

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**DEFENDANTS' AFFIRMATIVE DEPOSITION  
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543:20-544:11  
544:20-545:22  
546:12-547:18  
550:14-550:22  
550:24-552:25  
553:2-553:7  
553:9-553:15  
553:18-553:20  
555:6-555:15  
555:17-556:12

Defendants designate the following portions of **Amanda Clark, MD**, June 16, 2021 deposition:

6:3-21  
7:6-17  
7:23-8:10  
8:13-15  
8:19-9:3  
10:5-7  
26:17-27:4  
27:6-15  
28:2-16  
29:10-20 (starting at “have”)  
29:22-30:1  
30:7-23  
31:14-32:2  
32:8-33:19  
34:15-39:15  
40:2-4  
41:5-42:23  
43:10-19  
44:11-12  
44:18-20  
45:5-46:11  
46:16-17  
46:21-47:8  
47:10-48:14  
49:20-50:9  
50:21-53:6  
53:8

53:11-14  
53:16-54:5  
54:7-25  
55:5-60:23  
61:5-62:7  
62:9-11  
62:16-19  
62:22-63:1  
63:9-15  
64:25-65:15  
65:19-25  
66:17-23  
67:4-21  
68:5-8  
68:12-18  
69:1-70:19  
70:24-74:15  
78:1-4  
79:12-81:1  
81:3-4  
81:19-82:5  
82:9-83:16  
84:5-7  
84:14-85:23  
86:5-12  
87:14-88:2  
88:8-21  
89:2-15  
89:19 (starting at “Then”) -90:13  
90:20-93:25  
94:4-96:10  
96:14-97:17  
98:1-5  
98:7-17  
98:19-99:11  
99:15-24  
100:9-101:13  
101:15  
122:17-123:20  
161:12-19  
163:9-15  
163:17-164:2

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**DEFENDANTS' AFFIRMATIVE DEPOSITION  
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164:4-16  
165:10-12  
165:16-166:13  
168:12-13

Defendants designate the following portions of **Michelle Ritter, MD**, April 23, 2021 deposition:

6:13-7:5  
10:16-11:8  
11:23-12:18  
13:12 (starting at “So”) – 16:18  
17:19-18:5 (ending at “body.”)  
18:22-21:16  
22:1-25:17  
25:20-31:12  
31:19-33:12  
33:17-37:12  
37:17-38:5  
38:12-40:1  
40:8-43:13  
44:9-45:15  
46:16-47:19  
48:8-49:19  
50:1-52:14  
63:11-65:19  
66:16-18  
68:6-72:17  
72:24-74:9  
75:16-79:3  
79:13-80:8  
83:22-85:9  
86:7-87:5  
87:14-88:6  
96:1-11  
96:22-98:12  
99:16-19  
100:1-19  
100:24-101:1 (ending at “Exhibit 1”)  
101:12-103:14  
103:18-109:7

109:18-111:10 (starting at “this”)  
134:4-24  
135:13-18  
136:3-5  
136:11-137:17  
137:22-138:5  
140:3-5

Defendants designate the following portions of **Jeffery Wheat, MD**, June 12, 2021 deposition:

7:10-13  
79:6-23  
80:11-81:12  
82:4-19  
83:2-5  
84:2-15  
85:1-8  
85:14-89:10  
89:14-90:16  
90:19-21  
90:23-91:2  
91:44  
91:9-92:8  
92:10-11  
92:24-94:12  
94:14  
95:3-5  
95:13-21  
96:9-21  
97:1-10  
98:13-100:2  
100:6-103:24  
104:2-105:6  
105:11-15  
105:21-113:2  
114:4-119:14  
120:14-122:1  
122:23-123:20  
124:20-125:3  
125:5-127:21

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129:21-131:7  
131:15-132:2  
132:5-13  
132:18-21  
132:23  
133:7-9  
133:11-12  
138:7-139:23  
141:10-21  
142:2-13  
142:19-24  
143:8-22  
144:17-145:9  
145:19-146:23  
147:2-148:7  
148:11-14  
150:12-151:13

Defendants designate the following portions of **Peter Zenthoefer, MD**, January 31, 2017 deposition:

5:4-11  
6:15-7:21  
19:19-20  
21:20-35:22 (ending at “are.”)  
36:3-40:15  
40:23-41:8  
41:11-48:1  
48:10-50:14  
50:20-51:25 (starting at “How”)  
52:9-53:14  
53:18-54:1  
54:3-55:10  
57:11-58:4  
59:25-64:17  
65:2-6  
75:1-77:25  
93:5-19  
94:25-95:6  
95:8-96:3

DATED: February 1, 2022

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a copy of this document was served on all counsel of record via email.

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